IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3035 of 2006

STATE OF RAJ.
V/S
M/S.SANGAM PROCESSORS(BHILWARA) & ANR.

Mr. OP BOOB,AGA, for the appellant / petitioner

DR. SACHIN ACHARYA, for the respondent

Date of Order : 11.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

By the impugned order, the learned trial court has declined to reopen the petitioner's evidence. The evidence of the petitioner was closed on 29.10.2005. The case of the petitioner is that on that day, the aunt of the officer in charge Tehsildar died. Learned counsel for the respondent submits that in the past sufficient adjournments had already been granted for leading evidence.

I have considered the submissions, and in the totality of circumstances, I think it appropriate to grant one more opportunity to the petitioner to produce all his evidence on the next date of hearing subject to payment of cost of Rs. 5000/-. It is directed that on the next date of hearing the petitioner will produce all his witnesses, and the learned trial court shall record their statements

subject to payment of cost of Rs. 5000/-. It is made clear that if on the next date if the cost is not paid, or witnesses are not produced, the writ petition will automatically stand dismissed. The writ petition is accordingly disposed of

(N P GUPTA),J.

/Sushil/